

Please type a plus sign (+) inside this box → ☒

PTO/SB/05 (11-00)  
Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 01-10416  
First Inventor WALBURGER, Randy  
Title MODULAR EMERGENCY SHELTER SYSTEM  
Express Mail Label No. EU 06601449S US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 17]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. Oath or Declaration [Total Pages 3]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_ / \_\_\_\_\_

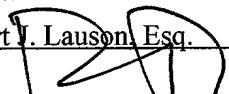
Prior application information: Examiner \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label  or ☒ Correspondence address below

Name	Robert J. Lauson, Esq.				
Address	CISLO & THOMAS LLP				
	233 Wilshire Boulevard, Suite 900				
City	Santa Monica	State	CA	Zip Code	90401-1211
Country	USA	Telephone	1-310-451-0647	Fax	1-310-394-4477

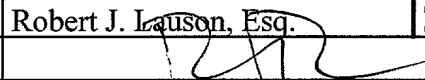
Name (Print/Type)	Robert J. Lauson, Esq.	Registration No. (Attorney/Agent)	41.930
Signature		Date	2/27/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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<b>FEE TRANSMITTAL</b> <b>for FY 2000</b>		<b>Complete if Known</b>	
<i>Patent fees are subject to annual revision. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</i>		Application Number	N/A
		Filing Date	Filed Herewith
		First Named Inventor	WALBURGER, Randy
		Examiner Name	N/A
		Group / Art Unit	N/A
		Attorney Docket No.	01-10416
<b>TOTAL AMOUNT OF PAYMENT</b>		(\$) <b>355.00</b>	

<b>METHOD OF PAYMENT</b> (check one)		<b>FEE CALCULATION</b> (continued)																																																																																																																																																																																
<b>1.</b> <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:  Deposit Account Number: <b>03-2030</b>  Deposit Account Name: <b>CISLO &amp; THOMAS LLP</b>  <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17		<b>3. ADDITIONAL FEES</b>																																																																																																																																																																																
<b>2.</b> <input checked="" type="checkbox"/> <b>Payment Enclosed:</b> <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		<table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Small Entity Fee Code</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>0.00</td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td>0.00</td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td>0.00</td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td>0.00</td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td>0.00</td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td>0.00</td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td>0.00</td></tr><tr><td>116</td><td>380</td><td>216</td><td>190</td><td>Extension for reply within second month</td><td>0.00</td></tr><tr><td>117</td><td>870</td><td>217</td><td>435</td><td>Extension for reply within third month</td><td>0.00</td></tr><tr><td>118</td><td>1,360</td><td>218</td><td>680</td><td>Extension for reply within fourth month</td><td>0.00</td></tr><tr><td>128</td><td>1,850</td><td>228</td><td>925</td><td>Extension for reply within fifth month</td><td>0.00</td></tr><tr><td>119</td><td>300</td><td>219</td><td>150</td><td>Notice of Appeal</td><td>0.00</td></tr><tr><td>120</td><td>300</td><td>220</td><td>150</td><td>Filing a brief in support of an appeal</td><td>0.00</td></tr><tr><td>121</td><td>260</td><td>221</td><td>130</td><td>Request for oral hearing</td><td>0.00</td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td>0.00</td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td>0.00</td></tr><tr><td>141</td><td>1,210</td><td>241</td><td>605</td><td>Petition to revive - unintentional</td><td>0.00</td></tr><tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td><td>0.00</td></tr><tr><td>143</td><td>430</td><td>243</td><td>215</td><td>Design issue fee</td><td>0.00</td></tr><tr><td>144</td><td>580</td><td>244</td><td>290</td><td>Plant issue fee</td><td>0.00</td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td>0.00</td></tr><tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td>0.00</td></tr><tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td><td>0.00</td></tr><tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>0.00</td></tr><tr><td>146</td><td>690</td><td>246</td><td>345</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td>0.00</td></tr><tr><td>149</td><td>690</td><td>249</td><td>345</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td>0.00</td></tr><tr><td colspan="4">Other fee (specify) _____</td><td>0.00</td></tr><tr><td colspan="4">Other fee (specify) _____</td><td>0.00</td></tr><tr><td colspan="4"><b>Reduced by Basic Filing Fee Paid</b></td><td><b>SUBTOTAL (3)</b> (\$)<b>0.00</b></td></tr></tbody></table>		Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	0.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	0.00	139	130	139	130	Non-English specification	0.00	147	2,520	147	2,520	For filing a request for reexamination	0.00	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	0.00	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	0.00	115	110	215	55	Extension for reply within first month	0.00	116	380	216	190	Extension for reply within second month	0.00	117	870	217	435	Extension for reply within third month	0.00	118	1,360	218	680	Extension for reply within fourth month	0.00	128	1,850	228	925	Extension for reply within fifth month	0.00	119	300	219	150	Notice of Appeal	0.00	120	300	220	150	Filing a brief in support of an appeal	0.00	121	260	221	130	Request for oral hearing	0.00	138	1,510	138	1,510	Petition to institute a public use proceeding	0.00	140	110	240	55	Petition to revive - unavoidable	0.00	141	1,210	241	605	Petition to revive - unintentional	0.00	142	1,210	242	605	Utility issue fee (or reissue)	0.00	143	430	243	215	Design issue fee	0.00	144	580	244	290	Plant issue fee	0.00	122	130	122	130	Petitions to the Commissioner	0.00	123	50	123	50	Petitions related to provisional applications	0.00	126	240	126	240	Submission of Information Disclosure Stmt	0.00	581	40	581	40	Recording each patent assignment per property (times number of properties)	0.00	146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))	0.00	149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))	0.00	Other fee (specify) _____				0.00	Other fee (specify) _____				0.00	<b>Reduced by Basic Filing Fee Paid</b>				<b>SUBTOTAL (3)</b> (\$) <b>0.00</b>
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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Robert J. Lauson, Esq.	Registration No. (Attorney/Agent)	41,930
Signature		Telephone	1-310-451-0647
		Date	25 Feb 02

**WARNING:**

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the application of:  
WALBURGER, Randy

Serial Number:      Filed Herewith      Examiner:      N/A  
Filed:                      Herewith                      Art Unit:      N/A  
For:                      MODULAR EMERGENCY SHELTER SYSTEM

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BOX PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

ASSERTION OF SMALL ENTITY STATUS

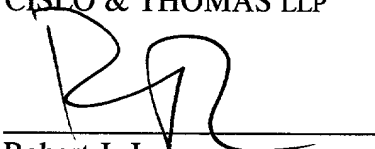
Dear Sir or Madam:

Applicant and Inventor, above, hereby claim small entity status under 37 C.F.R. § 1.9 as an independent inventor. It is not believed that any additional fees are due; however, in the event any additional fees are due, the Examiner is authorized to charge Applicant's attorney's deposit account no. 03-2030.

Respectfully submitted,

CISLO & THOMAS LLP

Date: February 25, 2002

  
Robert J. Lauson  
Reg. No. 41,930

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:  
WALBURGER, Randy

Serial Number: Filed Herewith Examiner: N/A

Filed: Herewith Art Unit: N/A

For: MODULAR EMERGENCY SHELTER SYSTEM

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NONPUBLICATION REQUEST AND CERTIFICATION  
UNDER 35 U.S.C. 122(b)(2)(B)(i) and 37 C.F.R. § 1.213(a)

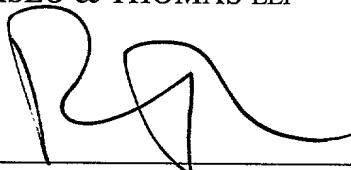
Dear Sir or Madam:

Under 37 C.F.R. § 1.213(a), Applicant respectfully requests that the application captioned above and filed herewith not be published pursuant to 35 U.S.C. § 122(b) and/or 37 C.F.R. § 1.211.

Applicant certifies that the invention disclosed in the said application has not been and will not be subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Respectfully submitted,

CISLO & THOMAS LLP



Robert J. Lauson, Reg. No. 41,930

Date: February 25, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:  
WALBURGER, Randy

Serial Number: Filed Herewith Examiner: N/A

Filed: Herewith Art Unit: N/A

For: MODULAR EMERGENCY SHELTER SYSTEM

BOX PATENT APPLICATION

Commissioner for Patents  
Washington, D.C. 20231

REQUEST FOR USE OF CUSTOMER NUMBER

Dear Sir or Madam:

Applicant's representative has the following customer number lodged with the Patent Office:

25,189



25189

PATENT TRADEMARK OFFICE

The Office is respectfully requested to use this customer number (the bar code for which is above) for correspondence purposes as well as for online access via the PAIR system with respect to the present application.

Respectfully submitted,

CISLO & THOMAS LLP

Robert J. Lauson

Date: February 25, 2002

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PATENT  
01-10416



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the application of:  
WALBURGER, Randy

Serial Number: Filed Herewith

Filed: Herewith

For: MODULAR EMERGENCY SHELTER SYSTEM

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Assistant Commissioner for Patents  
Post Office Box 3727  
Arlington, Virginia 22202  
BOX PATENT APPLICATION

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mailing Label No. EV 066014495 US  
Deposited: February 25, 2002

Dear Sir:

Enclosed herewith are the following:

1. Patent Application Transmittal Letter (1 page) and Fee Transmittal noting small entity status (1 page);
2. Check in the amount of \$355 for filing fees;
3. Patent Application (11 specification pages, 5 pages of claims, 1-page abstract, Assertion of Small Entity Status (1 page), and 3 drawing pages, for a total of 21 pages);
4. Declaration and Power of Attorney for Patent Application (3 pages);
5. Nonpublication Request Under 37 C.F.R. § 1.213(a) (1 page);

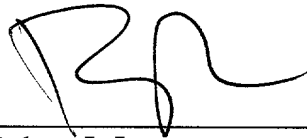
6. Information Disclosure Statement (1 page) with enclosed Information Disclosure Citation (Form PTO/SB/08A, 1 page) and 12 patent references;
7. Request for Use of Customer Number (1 page); and
8. Acknowledgement Postcard.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R., Section 1.10, on the date indicated above and is addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231  
BOX PATENT APPLICATION

Respectfully submitted,

CISLO & THOMAS LLP



Robert J. Lauson  
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Date: February 25, 2002

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RJL:ce

Enclosures

As listed above

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